

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JOHN W. SELLERS  
ADC #87983

PETITIONER

V.

NO. 5:06CV00114 SWW

LARRY NORRIS, Director,  
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau and the objections filed in response, and has further reviewed the relevant record de novo. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Respondent's motion to dismiss (docket entry #11) is hereby granted and this 28 U.S.C. § 2254 petition for writ of habeas corpus is dismissed without prejudice to refiling if Petitioner obtains the necessary order from the United States Court of Appeals for the Eighth Circuit.

IT IS SO ORDERED this 5<sup>th</sup> day of July 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE